

Appendix 3

Robin Rhodes Documents

APPENDIX 3-1

Documents From the Harris County D.A.

AGREEMENT

On this the 6TH day of AUGUST, 1993 the following agreement was made between ROBERT LEE, GARY E. PATTERSON, Attorney for LEE, Officer F.WINKLER of the Houston Police Department assigned to the Harris County Organized Crime Narcotics Task Force, and JOAN HUFFMAN of the Harris County District Attorney's Office.

(1) That ROBERT LEE is presently charged with the offense of THEFT in cause no 667239 and THEFT OF SERVICE in cause number 667238 in the 248th District Court of Harris County, Texas.

(2) That he has agreed to cooperate with Officer Winkler and other law enforcement officers in working with this Officer in the investigation of narcotics trafficking in the Harris County area of which he has knowledge.

(3) That Lee, upon receipt of a letter from a Supervisor in the division or department to which Winkler is assigned (Lt. grade or above) to the District Attorney's Office notifying the State that all terms of this agreement have been fully complied with, will receive for his cooperation and assistance a dismissal in cause number 667239 and three years felony probation in Cause number 667238 with _____ in restitution to the Complainaing witness.

(4) That he will provide all information and assistance to Officer Winkler leading to the arrest and indictment of one or more individuals for a State or Federal Felony Offense possession or delivery which leads to a seizure of at least three ounces of cocaine.

(5) That the law in regards to entrapment has been explained to Lee and he agrees and understands that any case wherein the District Attorney's Office believes was made by entrapment will not count towards the satisfaction of the requirement indicated in paragraph 4 above, and the State will void this contract.

(6) Further that all said information must be truthful, and that should law enforcement present evidence that said information is untruthful, or said evidence comes to the attention of the Harris County District Attorney's Office, this agreement is void.

(7) That he fully understand that he must, during the course of the above investigation, follow the directions and instructions of Winkler or his fellow law enforcement officers and failure to do so will void this agreement.

(8) That he understands that he will receive no consideration in his case until he complies fully with provision (4) of this agreement, and that good faith attempts do not constitute

compliance, and that less than full compliance will not obligate the Harris County District Attorney's Office in any respect.

(9) That he further understands that this agreement will in no way authorize him to break any State or Federal laws.

(10) Further, he agrees that he will contact Winkler or his designee at least every day, or at other such intervals that Rodriguez may direct during the course of this agreement, and that failure to comply with this term will constitute a violation of this agreement, subjecting the agreement to be considered void at discretion of Huffman.

(11) That he further understand that all conditions under the terms of this agreement are to be accomplished on or before November 8, 1993.

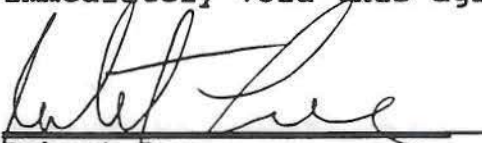
(12) That all parties agree that no statements made by Lee during the course of this agreement may be used in a subsequent prosecution of the above cases presently pending against him.

(13) That Lee understands that if he fails to fulfill the above agreement the State of Texas will not be bound to the agreement as set out in paragraph three (3).

(14) That Lee may be required to wear transmitting and recording devices during the course of any investigations in pursuit of this contract and hereby consents to the recording of conversations in that pursuit.


(15) That Lee may be required to testify either at a Grand Jury or in the trial of any of individual(s) arrested and indicted as a result of this investigation and agrees to waive receipt of legal process compelling his testimony.

(16) That Lee understands that he is not permitted to be in possession or in the immediate presence of any illegal controlled substance or marijuana, and that at any time he becomes aware of same he is to immediately inform Officer Winkler. Further, any contact with narcotics must be within the view of a peace officer or be electronically monitored and recorded by law enforcement. Violation of this paragraph will immediately void this agreement.


Robert Lee


Gary E. Patterson


Floyd Winkler


Joan Huffman



JOHN B. HOLMES, JR.
DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

INTEROFFICE MEMORANDUM

TO: FILE
FROM: Mike Kelly, Investigator
SUBJECT: Defendant: Charles Victor Thompson, Cause #
DATE: August 25, 1998
CC:

Report of Investigation
August 25, 1998

On Tuesday, August 26, 1998 I was contacted by the witness in this case Robin Rhodes w/m 12/19/1955, SPN# 00183237. Mr. Rhodes left a message that he needed to talk with me concerning Charles Victor Thompson. Thompson is charged with Capital Murder and Solicitation to Commit Capital Murder in the 262nd District Court.

I met with Robin Rhodes this date, the following statement details the information Rhodes provided this investigator.

Statement of Robin Rhodes;

On or about 8/21/98 I spoke with inmate Charles Thompson (who is housed in cell #12) at recreation. We had previously spoken regarding his situation. He indicated to me that he had someone who wanted to invest some money in a narcotics transaction. On this particular day he asked me if I would be willing to convince "some people not to or be able not to come to trial. I told him I'd consider it. He then gave me a piece of paper w/ some names, descriptions, addresses, & schedules. Monday 8/24/98 I asked him what did he wanted me to do. He said either kill them or persuade them not to be there he did not care. He told me his life depended on it.

If need be I will testify & or will wear a wire to record our conversation (Charles Thompson). My only requirements are that I be moved as the inmate grapevine is quite efficient. I'd like to go to one of the Pct. Offices Pct 1 etc. or Baker Street as anywhere else people have daily contact with prisoners in this bldg.

End of statement of Robin Rhodes.

During the interview with Robin Rhodes he also provided me with the piece of paper given to him by Charles Thompson. Robin states that the writing is Charles Thompsons, and the handwritten note names Diane Bernia the Complainant in the Solicitation case with a physical description, her address, telephone number, vehicle description, residence description, and a partial schedule. The note also lists Gary F. Johnson with the word "entrapment" preceding his name, There is also a physical description and occupation (D.A. Investigator) listed. The note lists Mike Donaghy, and wife Cindy. Mr. Donaghy is the brother of Complainant Denise Hayslip in the capital murder case against Thompson. The note describes what part of town he lives in, place of employment, and a partial schedule. The last person listed on the note is Jack Reid. Reid's name is preceded by the word "snitch". The note gives a brief description of Reid and some criminal history information about him.

I took the note from Robin Rhodes to be processed for latent prints, and possibly for handwriting analysis. During the interview with Robin Rhodes he described information about the original capital murder case Thompson is charged in. Rhodes states that Thompson told him that he shot the male victim, Darren Cain first, and that during a struggle over the gun Thompson shot himself in the arm. He then shot Denise Hayslip. Thompson told Rhodes that he got mad because Cain was attempting to flee the apartment so he walk to Cain shooting him at the base of the neck and the skull, Cain fell over. Thompson told Rhodes that he meant to shoot him in the back of the head and missed. Thompson told Rhodes that the gun was a .380 caliber and has been discarded in 4-6 feet of water with the chamber open. Thompson also informed Rhodes that the cause of death of Denise Hayslip was pneumonia and not a gunshot wound. Rhodes states after talking to Thompson he made a list of notes based on his conversation with Thompson. I have also secured that list of notes, making them a part of this report.

Following the interview with Rhodes I returned to District Attorney's Office and presented the new information to A.D.A. Vic Wisner of the 262nd District Court. A.D.A. Wisner advised to document the information, and advise Investigator Johnson of the new information, and to have Thompson isolated in the jail to prevent contact with other inmates. I advised Investigator Johnson of the new information and provided him with a copy of the note from Thompson. I then secured the note in a transparent plastic sheath and submitted same to the Harris County Sheriff's Department Identification Division for the purpose of processing it for latent fingerprints, and comparing same to Charles Thompson. The evidence was submitted to Deputy Culver under case number 9806130289. (Laboratory Submission Form Attached).

I contacted the Classification Division of the Harris County Sheriff's Department and spoke with Lt. G. Moore. I requested from Lt. Moore that Thompson be placed in isolation pending trial. I requested that contact with other inmates be revoked, all visitation, other than attorney visits be revoked, and no access to any telephones. I explained to Lt. Moore this action was necessary for the safety of witnesses involved in his case. I followed up the conversation with Lt. Moore by providing him a written request sent to him by fax and hand delivering the original to his office. I have been informed by Lt. Moore that Thompson has been placed in isolation with no contact other than his attorney, and Sheriff's personnel.

This investigation is pending the findings of the fingerprint analysis being conducted by the Sheriff's Department Identification Division.



JOHN B. HOLMES, JR.
DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

INTEROFFICE MEMORANDUM

Page 3;

Attachments:

Xerox Copy of Handwritten note from Thompson.

Harris County Sheriff's Department Laboratory Submission Form

Handwritten note prepared by witness Robin Rhodes

Sworn statement prepared by Robin Rhodes

Fax cover sheet and Letter submitted to the Lt. Moore, Harris County Sheriff's Department
Classification Division.

CASE NUMBER 9806130289 SUPPLEMENT NUMBER 1 STATUS DRA

ENTERED BY: CULVER, K DATE: 08/26/98 TIME: 21:01

APPROVED BY: DATE: TIME:

ON TUESDAY, AUGUST, 25, 1998, AT APPROXIMATELY 4:45 PM, WHILE ON DUTY IN THE IDENTIFICATION DIVISION, I, DEPUTY K.L. CULVER UNIT #7114 MET WITH H.C.D.A. INVESTIGATOR M. KELLY BADGE #262 IN REFERENCE TO A LIST, TO BE PROCESSED FOR POSSIBLE LATENT PRINTS.

A SUSPECT WAS LISTED FOR A FINGERPRINT COMPARISON.

NAME; THOMPSON, CHARLES	SO#; 0888626	SPN#; 1650749
W/M	DOB; 6-13-70	

I PROCESSED THE LIST FOR POSSIBLE LATENT PRINTS, SEVERAL PRINTS OF POSSIBLE VALUE WERE OBTAINED.

THE LATENT PRINTS WERE PHOTOGRAPHED BY MYSELF AND DEPUTY D.V. ROSSI UNIT #7124. I WAS ABLE TO IDENTIFY ONE (1) LATENT PRINT TO THE #4 OR RIGHT RING FINGER OF THE ABOVE NAMED PERSON, DEPUTY ROSSI CONCURRED.

THE LATENT PRINTS WILL BE FILED IN THE IDENTIFICATION DIVISION, A.F.I.S. SECTION UNDER THE ABOVE CASE NUMBER.

THE LIST WILL BE RETURNED TO H.C.D.A. INVESTIGATOR M. KELLY.

END OF SUPPLEMENT;



HARRIS COUNTY SHERIFF'S DEPARTMENT
IDENTIFICATION DIVISION
LABORATORY SUBMISSION FORM

FOR LAB USE ONLY

LL# _____

CASE NUMBER 9806130289OFFENSE: Solicitation Cap. Murder COMPLAINANT: STATE of TEXAS & ZERNIA, DIANELOCATION OF OFFENSE: 1301 FRANKLIN OFFENSE DATE: _____

EVIDENCE SUBMITTED:

QUANTITY	DESCRIPTION OF EVIDENCE
<u>1</u>	<u>Handwritten note</u>

COMPARISON ONLY ☐ LATENTS: ☐ IN FILE ☐ SUBMITTED

SUSPECT INFORMATION:

#	NAME	RACE/SEX	DOB	SPN#
<u>#1</u>	<u>Thompson, Charles Victor</u>	<u>w/m</u>	<u>06/13/70</u>	<u>01650749</u>
<u>#2</u>				
<u>#3</u>				
<u>#4</u>				

SUBMITTING OFFICER: M. Kelly, Investigator H.C.D.A. UNIT/BADGE# 262
 AGENCY: H.C.D.A. DIVISION 262nd D.C. PHONE# 755-6173

***** ID OFFICE ONLY *****

RESULTS: IDENTIFIED THE #4 OR RIGHT RING FINGER OF THE
ABOVE NAMED SUSPECT.

J. Bulwer

RECEIVED BY: J. Bulwer LAB TECH: J. Bulwer RELEASED TO: _____

DATE: 8-25-98 DATE: 8-25-98

REC. FROM: M. Kelly RELEASED BY: _____

DATE: _____

Wisner, Vic

From: Emmons, Anna
Sent: Tuesday, June 28, 2005 1:18 PM
To: Wisner, Vic
Subject: RE: Robin Rhodes, Cause 1241376

fyi - i'm forwarding this to the chief in court 12 - kelly graul.

-----Original Message-----

From: Wisner, Vic
Sent: Tuesday, June 28, 2005 12:59 PM
To: Emmons, Anna
Subject: Robin Rhodes, Cause 1241376

This is a no arrest case pending in your court. The defendant is a witness for me in an upcoming death penalty case. PLEASE put a note on the file to contact me before you do anything with the case. Thanks.

Wisner, Vic

To: Craft, Johanna
Subject: Robin Rhodes SPN 183237

The above defendant is testifying for me in pending capital murder trial. He has 8 open Class C warrants , 2 in pct 1 pos 1 and the other six in pct 1, pos 2. Pursuant to an agreement with the Def can you dismiss these 8 warrants per my request? All this has already been disclosed on the record. This will permit him to get into court without being arrested. If he fails to show up or testify truthfully we still have a class B misd pending. Thanks much.

THE STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, in and for said County and State, personally appeared Robin Rhodes, who after being by me duly sworn deposes and says:

My name is Robin Rhodes and I live at: P.O. Box 902, MAGNOLIA, TX. 77355. My home telephone number is 281-399-0624. I work at unemployed and my telephone number there is . My Social Security Number is 453-117256. My nearest relative is Rosalee Rhodes (Roy) who lives at P.O. Box 902 MAGNOLIA, TX. 77355 and whose telephone number is .

I further wish to state that ON OR ABOUT 8/21/98 I
SPOKE WITH INMATE CHARLES THOMPSON
(WHO IS HOUSED IN CELL # 12) AT RECREATION
WE HAD PREVIOUSLY SPOKE REGARDING HIS SITUATION
HE HAD INDICATED TO ME THAT HE HAD SOMEONE
WHO WANTED TO INVEST SOME MONEY IN A NARCOTICS
TRANSACTION. ON THIS PARTICULAR DAY HE ASKED ME
IF I WOULD BE WILLING TO CONSIDER TRYING TO
CONVINCE "SOME PEOPLE" NOT TO OR BE ABLE
TO COME TO TRIAL. I TOLD HIM I'D CONSIDER
IT. HE THEN GAVE ME A PIECE OF PAPER WITH
NAMES, DESCRIPTIONS, ADDRESSES & SCHEDULES. MONDAY
8/24/98 I ASKED HIM WHAT DID HE WANT
ME TO DO. HE SAID EITHER KILL THEM OR
PERSUADE THEM NOT TO BE THERE. HE DIDN'T
CARE. HE TOLD ME HIS LIFE DEPENDED ON IT.

IF NEEDED I WILL TESTIFY FOR HIM WITH A WRIT
TO RECORD OUR CONVERSATION (CHARLES THOMPSON)
MY ONLY REQUIREMENTS ARE THAT I BE MOVED
TO THE INMATE SHEDLINE IS QUITE
EFFICIENT. I'D LIKE TO GO TO ONE OF THE PCT OFFICES
PCT 1 ETC. OR PARK STREET AS ANYWHERE ELSE
PEOPLE HAVE DAILY CONTACT WITH PRISONERS IN THIS BLDG.

John Lee

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on this the 25 day of August, A.D. 19 98.

Motion Hearing 9-29-05

- Motion Continuance - denied, but granted as to
will begin 1/10 Monday ^{10/3} instead
of Fri. 9/30
- Motion Preclude DP - denied
- Motion - Unconstitutional DP - denied
- Motion Preclude Extraneous Offenses - denied,
except #13 granted - ^{have} hearing re: extraneous
offenses
- Motion Limine Victim Impact - denied,
except #3 granted - hearing if
victim impact relevant before testimony put on
- Motion Impeachment - Expert Witnesses →
state
disclosed
experts
on
record:
Dr. Wolf - ME autopsy
no firearms expert evidence, pistol won't
be presented as the murder
latents
experts re: death row / future dangerous
~~is~~ i.e. rebuttal of defense's
experts that D been good on D.R.,
by showing how strict D.R. is
(tape, Merrillat)
gang violence in prison (Thish Cooper,
Anan Brotherhood)
- Motion in Limine to Preclude Testimony abt Violent Acts
of Others
(re: Death row)
defense doesn't want jury to know D's
been on death row or prior verdict
of death by 1st jury
so St. can't show how strict D.R. is to rebut the
re: violent acts of others i.e. prison gangs

defense ok w/ offering into evidence:

court's ruling:

unavailable

proof of death (letter from ME) Lisa Gonzalez

unavailable

Henry Teranio - illegal alien smuggling - very sick, being treated and can't leave town per doctor to come testify - letter from doctor

prior trial transcript to be offered into evidence for purpose of appeal

Robin Rhodes - agreement - False Report to P.O. case in misd. court, disallows for truthful testimony

8 hot checks - larceny

at sustained ruling that cannot testify that "truthful" honest testimony

witness not currently in custody/bond, open warrants

ordered by ct to disclose witnesses and witnesses' records from JIMS

9/30/05

Unadjudicated Offenses - don't have to prove BRO outside jury's presence

defense will make list of objections

to each offense on record prior to trial beginning,

b/c St. to mention in opening statement

have court do prior to opening statement

(11)

Robin Rhodes (vic)

- 1977 - cocaine prob.
- 1991 - theft/drug prob.
- 1993 - TDCJ 2 yrs. Credit Card Abuse / theft
- 1995 - mid theft
- 1996 - felony theft - 4 mos.
- 2003 - theft/uamv 6 mos.

paid informant - HCOC task force
received consideration for
his cases & \$

this case - consideration - B class C JBC case
dismissed
class B False Report
case dismissed

HC jail Aug. 1998 - MRP - met A, but
not asked by any law enforcement to do so

A thought Rhodes could do stuff on outside

A told Rhodes cot. crime - shot himself accidentally
during crime

A wanted 2 people to "disappear" b/c would
help A's case, didn't want them to show up
in court - by any means possible

Rhodes knew request was illegal, and that
it would help Rhodes to help state,
Rhodes small crime, A huge crime

2nd list list:

- wit 1 - Diane Zermia
- wit 3 - Mike Donaghy
- wit 4 - Snitch Jack Reed

each are witnesses
wants eliminated
so he could
walk away a
free man

APPENDIX 3-2

Robin Lee Rhodes Criminal History

Section 1

THE STATE OF TEXAS
VS.

ROBERT LEE
1107 BLUE BELL #D
HOUSTON, TX. 77038

NCIC CODE: 2300.59
FELONY CHARGE:

THEFT OF SERVICE
CAUSE NO: 667238

HARRIS COUNTY
DISTRICT COURT NO: 248

D.A. LOG NUMBER: 44774

CJIS TRACKING NO.:

SPN: 01325889/999

DOB: WM 12/19/1955

DATE PREPARED: 6/18/93

BY: MW DA NO: 599

AGENCY: HCDA

O/R NO: 63544693

ARREST DATE: TO BE

RELATED CASES: DEF. HAS TWO FELONY CHARGES

BAIL: \$ \$2,000.00

PRIOR CAUSE NO:

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IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

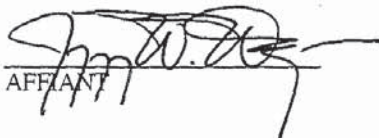
Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, ROBERT LEE, hereafter styled the Defendant, on or about JUNE 17, 1993, did then and there unlawfully, with intent to avoid payment of service that the Defendant knew was provided only for compensation, and having control under a written rental agreement of personal property, namely, AN AUTOMOBILE, owned by JEFF WAGNER, hereafter styled the Complainant, hold the property without the effective consent of the Complainant beyond the expiration of the rental period, thereby depriving the Complainant of its use in further rentals, and the value of the service stolen by the Defendant was seven hundred fifty dollars, and the property was held without the effective consent of the owner.

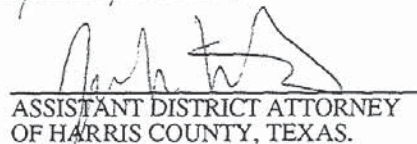
PROBABLE CAUSE:

AFFIANT, JEFFREY WAGNER, WHO IS EMPLOYED BY BUDGET RENT A CAR, WHICH IS A COMPANY THAT RENTS AUTOMOBILES, IS A CREDIBLE PERSON. AFFIANT SPOKE WITH A COMPANY EMPLOYEE, LENAIS HATFIELD; WHO IS A CREDIBLE PERSON, WHO STATED THAT ON APRIL 7, 1993, THE DEFENDANT RENTED AN AUTOMOBILE IN HIS OWN NAME IN THE PRESENCE OF THE EMPLOYEE, AND PRESENTED A DRIVER'S LICENSE IN HIS NAME TO THE EMPLOYEE. THE RENTAL CONTRACT SPECIFIED THAT THE DEFENDANT WAS TO RETURN THE AUTOMOBILE BY MAY 4, 1993. THE COMPANY RECORDS, WHICH AFFIANT HAS CHECKED, REFLECT THAT THE AUTOMOBILE RENTED BY THE DEFENDANT HAS NOT BEEN RETURNED TO THIS DATE AND THE DEFENDANT DID NOT RECEIVE PERMISSION TO LENGTHEN THE RENTAL TERM. AFFIANT STATES FURTHERMORE THAT ON MAY 20, 1993, AFFIANT CAUSED A CERTIFIED DEMAND LETTER TO BE SENT TO THE ADDRESS WHERE THE DEFENDANT REPRESENTED HE RESIDED. THE AFOREMENTIONED LETTER WAS RETURNED TO THE SENDER ON JUNE 17, 1993, MARKED "UNCLAIMED". TO THIS DATE, THE AUTOMOBILE HAS NOT BEEN RETURNED AND SERVICES THEREFOR REMAIN UNPAID. AFFIANT STATES THE VALUE OF THE UNPAID RENTAL IS \$750.00. THE VALUE OF THE AUTOMOBILE IS \$17,000.00.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Sworn to and subscribed before me on June 18, 1993


AFFIANT


ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS.

COMPLAINT

THE STATE OF TEXAS

VS.

ROBERT LEE

1107 BLUE BELL #D

HOUSTON, TX. 77038

D.A. LOG NUMBER: 44774

CJS TRACKING NO.:

SPN: 01325689/599

DOB: WM 12/19/1955

DATE PREPARED: 6/18/93

BY: MW DA NO: 599

AGENCY: HCDA

O/R NO: 63544693

ARREST DATE: TO BE

NCIC CODE: 2300 59

FELONY CHARGE:

THEFT OF SERVICE

CAUSE NO: 567238

HARRIS COUNTY

DISTRICT COURT NO: 248

RELATED CASES: DEF. HAS TWO FELONY CHARGES

BAIL: \$ 2,000.00

PRIOR CAUSE NO:

Vol Page AXGM

180th
GJ

181 174

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

The duly organized Grand Jury of Harris County, Texas, presents in the District Court of Harris County, Texas, that in Harris County, Texas, **ROBERT LEE**, hereafter styled the Defendant, on or about **JUNE 17, 1993**, did then and there unlawfully, with intent to avoid payment of service that the Defendant knew was provided only for compensation, and having control under a written rental agreement of personal property, namely, AN AUTOMOBILE, owned by JEFF WAGNER, hereafter styled the Complainant, hold the property without the effective consent of the Complainant beyond the expiration of the rental period, thereby depriving the Complainant of its use in further rentals, and the value of the service stolen by the Defendant was seven hundred fifty dollars, and the property was held without the effective consent of the owner.

FILED
KATHLEEN LYRA
KATHLEEN LYRA
JUN 25 PM 5:24

998

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Foreman

[Signature]

FOREMAN OF THE GRAND JURY

INDICTMENT

THE STATE OF TEXAS
VS.

ROBERT LEE
1107 BLUE BELL, #D
HOUSTON, TX. 77038

NCIC CODE: 2300.59

FELONY CHARGE:

THEFT OF SERVICE

CAUSE NO: 67238

HARRIS COUNTY

DISTRICT COURT NO: 248

D.A. LOG NUMBER: 44774

CJIS TRACKING NO.:

SPN: 01325889/999

DOB: WM 12/19/1955

DATE PREPARED: 6/18/93

BY: MW DA NO: 599

AGENCY: HCDA

O/R NO: 63544693

ARREST DATE: TO BE

RELATED CASES: DEF. HAS TWO FELONY CHARGES

BAIL: \$ \$2,000.00

PRIOR CAUSE NO:

WAIVER OF CONSTITUTIONAL RIGHTS, AGREEMENT TO STIPULATE, AND JUDICIAL CONFESSION

In open court and prior to entering my plea, I waive the right of trial by jury. I also waive the appearance, confrontation, and cross-examination of witnesses, and my right against self-incrimination. The charges against me allege that in Harris County, Texas, ROBERT LEE, hereafter styled the Defendant, on or about JUNE 17, 1993, did then and there unlawfully, , with intent to avoid payment of service that the Defendant knew was provided only for compensation, and having control under a written rental agreement of personal property, namely, AN AUTOMOBILE, owned by JEFF WAGNER, hereafter styled the Complainant, hold the property without the effective consent of the Complainant beyond the expiration of the rental period, thereby depriving the Complainant of its use in further rentals, and the value of the service stolen by the Defendant was seven hundred fifty dollars, and the property was held without the effective consent of the owner.

FILED
KATHERINE TYRA
District Clerk

SEP 10 2015

Time: 12:00 PM

Harris County, Texas

By: [Signature]

Deputy

AGAINST THE PEACE AND DIGNITY OF THE STATE.

I understand the above allegations and I confess that they are true and that the acts alleged above were committed on

June 17, 1993

In open court I consent to the oral and written stipulation of evidence in this case and to the introduction of affidavits, written statements, of witnesses, and other documentary evidence. I am satisfied that the attorney representing me today in court has properly represented me and I have fully discussed this case with him.

I intend to enter a plea of guilty and the prosecutor will recommend that my punishment should be set at 3 years DPT & Resid. in TX amount of \$1500 and I agree to that recommendation. I waive any further time to prepare for trial to which I or my attorney may be entitled.

[Signature]
DEFENDANT

Sworn to and Subscribed before me on _____

[Signature]
HARRIS COUNTY DEPUTY DISTRICT CLERK

I represent the defendant in this case and I believe that this document was executed by him knowingly and voluntarily and after I fully discussed it and its consequences with him. I believe that he is competent to stand trial. I agree to the prosecutors recommendation as to punishment. I waive any further time to prepare for trial to which I or the defendant may be entitled.

Gary E. Patterson
DEFENDANT'S ATTORNEY (PRINT)

[Signature]
SIGNATURE OF DEFENDANT'S ATTORNEY

I consent to and approve the above waiver of trial by jury and stipulation of evidence

[Signature]
ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS

This document was executed by the defendant, his attorney, and the attorney representing the State, and then filed with the papers of the case. The defendant then came before me and I approved the above and the defendant entered a plea of guilty. After I admonished the defendant of the consequences of his plea, I ascertained that he entered it knowingly and voluntarily after discussing the case with his attorney. It appears that the defendant is mentally competent and plea is free and voluntary. I find that the defendant's attorney is competent and has effectively represented defendant in this case. I informed the defendant that I would not exceed the agreed recommendation as to punishment.

[Signature]
JUDGE PRESID

PLEA OF GUILTY

CAUSE NUMBER 667238

THE STATE OF TEXAS

VS.

ROBERT LEE

IN THE 248TH DISTRICT COURT

OF

HARRIS COUNTY, TEXAS

MOTION TO ADJUDICATE GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, THE STATE OF TEXAS, by and through the undersigned Assistant District Attorney and shows the Court that heretofore on the 9th day of September, 1993, the Defendant herein entered a plea of Guilty to the offense of THEFT OF SERVICE, the Court after hearing the evidence introduced thereon and finding that it substantiates the Defendant's guilt, deferred entering an adjudication of guilt and placed the Defendant under the terms and conditions of probation for a period of 3 years in accordance with Section 5 of Article 42.12 of the Texas Code of Criminal Procedure.

Further, the State would show that the Court ordered the Defendant herein to abide by certain conditions of probation during the term of probation and among the conditions of probation ordered by the Court were the following conditions of probation:

- (a) Commit no offense against the laws of this or any other State or of the United States;
- (b) Avoid injurious or vicious habits including the use of controlled substances and alcoholic beverages. You are forbidden to use, possess, or consume any controlled substances, dangerous drugs, or marijuana unless prescribed pursuant to a lawful prescription;
- (d) Report immediately in person on September 9, 1993 to the Harris County Adult Probation Department Intake Division, 49 San Jacinto Street, Houston, Texas and thereafter as directed each month to your designated Probation Officer unless different dates within a calendar month are agreed to by you and your Probation Officer;
- (e) Work continuously at suitable employment and notify the Probation Officer within 48 hours of any changes in employment status; present written verification of employment (including all attempts to secure employment) once each month on your reporting date;
- (a) Pay a Supervision Fee to the Harris County Probation Adult Probation Department at the rate of \$25.00 per month for the entire period of probation beginning October 9, 1993;

(p) Make restitution in any sum that the Court shall determine:
 Pay \$1,500.00 at the rate of \$50.00 per month beginning October 9, 1993 to Jeff Wagner.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: committing an offense against the state of Texas, to-wit: on or about July 31, 1994, in Harbri County, Texas, the Defendant did then and there unlawfully, appropriates by acquiring and otherwise exercising control over property, namely, one package of briars and one package of t-shirts, owned by Johnathan Burger, hereafter styled the Complainant of the value of over twenty dollars and under two hundred dollars, with the intent to deprive the Complainant of the property.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to avoid injurious or vicious habits to-wit: Robert Lee did ingest/ inject a controlled substance, namely, Cocaine, which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on April 29, 1994 at the Harris County Community Supervision and Correction Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to report to the Probation Office, to-wit: The Defendant was ordered to report September 9, 1993 and thereafter as directed month to his designated Probation Officer unless different dates within a calendar month were agreed to by him and his Probation Officer. He failed to report as instructed for the months of October 1993, November 1993, December 1993, May 1994, June 1994, and July 1994.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to secure or maintain employment, to-wit: The Defendant has failed to maintain or secure employment for the months of September 1993, October 1993, November 1993, December 1993, January 1994, February 1994, March 1994, May 1994, June 1994, and July 1994 as ordered by the Court.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to pay supervision fee, to-wit: The Defendant has not made a payment for the month of July 26, 1994, as directed by the Court, and is presently \$250.00 in arrears.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to pay restitution, to-wit: The Defendant has not made a payment for the months of November 1993, December 1993, February 1994, March 1994, April 1994, May 1994, June 1994 and July 1994, as directed by the Court, and is presently \$400.00 in arrears.

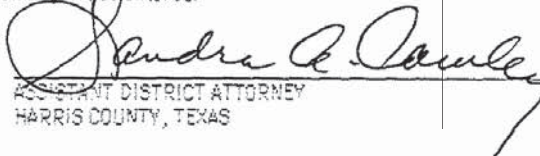
MOTION TO ADJUDICATE GUILTY

PAGE TWO
 ROBERT LEE
 CAUSE #667238

PAGE THREE
ROBERT LEE
CAUSE #667238

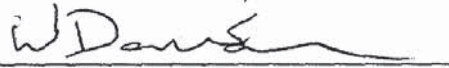
MOTION TO ADJUDICATE GUILTY

WHEREFORE, THE STATE PRAYS THAT Alias Capias issue and upon arrest that hearing be given the Defendant and that on final hearing an adjudication of guilt be entered.


Sandra C. Dawley
ASSISTANT DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

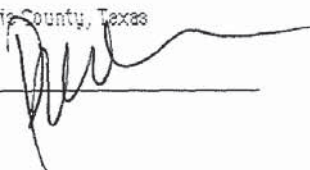
MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ordered to issue Alias Capias for arrest of the Defendant and that copy of this Motion be served on the Defendant.

SIGNED THIS THE 12 DAY OF August, A. D., 19 94


HONORABLE WOODY DENSEN, JUDGE
PRESIDING, 248TH DISTRICT COURT
Harris County, Texas


ATTEST:

KATHERINE TYRA
District Clerk
Harris County, Texas

By: 


ACTION DIRECTED BY THE COURT

- A. File Motion to Revoke ✓
B. No Action Desired _____
C. Hold Pending _____


Adult Probation Officer JOHNNY STEWART
Date Submitted 8 12 94

DLC

FILED
KATHERINE TYRA
District Clerk

AUG 12 1994
Time: 12:00
Harris County, Texas
By:  Deputy

PRECEPT TO SERVE COPY OF MOTION TO ADJUDICATE GUILT

THE STATE OF TEXAS
VS
LEE, ROBERT

NO. 066723801010
IN THE 248 DISTRICT COURT
OF HARRIS COUNTY, T E X A S

T H E S T A T E O F T E X A S

TO THE SHERIFF OF HARRIS COUNTY, STATE OF TEXAS, GREETINGS:

YOU ARE HEREBY COMMANDED TO DELIVER FORTHWITH TO LEE, ROBERT
A PRISONER IN YOUR CUSTODY, THE COPY OF THE ORIGINAL MOTION TO ADJUDICATE
GUILT NOW ON FILE IN SAID COURT.

HEREIN FAIL NOT AND DUE RETURN MAKE HEREOF, WITHOUT DELAY.

WITNESS MY SIGNATURE AND SEAL OF OFFICE,
ON THIS THE 12TH DAY OF AUGUST A.D. 1994

KATHERINE TYRA
DISTRICT CLERK, HARRIS COUNTY, TEXAS

INITIATING DEPUTY: WADE, DEBRA SUE
BY _____ DEPUTY

* * * * *

SHERIFF'S RETURN

CAME TO HAND 12 of September A. D. 1994, AT 7:42 O'CLOCK PM
AND EXECUTED 12 of September A. D. 1994, AT 7:42 O'CLOCK PM
BY DELIVERING THE ACCOMPANYING COPY OF MOTION TO ADJUDICATE GUILT
NO. 066723801010 TO LEE, ROBERT THE DEFENDANT HEREIN,
IN PERSON.

JOHNNY KLEVENHAGEN
SHERIFF OF HARRIS COUNTY, TEXAS

BY _____ DEPUTY
94 SEP 13 AM 6:38
BY _____ DEPUTY

FILED
KATHERINE TYRA
DISTRICT CLERK
HARRIS COUNTY, TEXAS
1994 SEP 16 AM 9:55
DEPUTY

C87 D1 (COURT ORDER)

CAUSE NO. 066723801010

IN THE 248 DISTRICT COURT

OF HARRIS COUNTY, TEXAS

T H E S T A T E O F T E X A S
VS.

THEFT SERVICE \$750-\$20,000

LEE, ROBERT

TO THE SHERIFF OF HARRIS COUNTY, TEXAS: GREETINGS

BY ORDER OF THE COURT ON THE 27 DAY OF SEPTEMBER , A. D. 1994 THE
FOLLOWING ACTION IS DIRECTED IN THE ABOVE STYLED AND NUMBERED CAUSE:

(XX) STATE'S MOTION TO ADJUDICATION DISMISSED

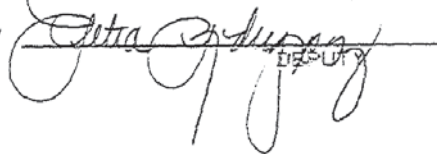
(31) RETURN CAPIAS AND RELEASE DEFENDANT FROM YOUR OFFICIAL CUSTODY, AS
INDICATED BY ABOVE ACTIVITY

WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THIS 27 DAY OF
SEPTEMBER , A.D. 1994 AT 1040 O'CLOCK.

SNU: 999
INITIATING DEPUTY: BALDERRAMA, PEGGY LYNN

KATHERINE TYRA DISTRICT CLERK
HARRIS COUNTY, TEXAS

BY


DEPUTY

LD

OFFENSE: Let of Service CAUSE NO. 667238
~~MAJ only~~ COUNT NO. _____
 THE STATE OF TEXAS IN THE 248 DISTRICT COURT
 VS. OF
Robin Lee Rhales A.K.A. Robert Lee HARRIS COUNTY, TEXAS

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her District Attorney, and respectfully requests the Court to dismiss the above entitled and numbered criminal action for the following reason:

- ☐ The Defendant was convicted in another case or count.
- ☐ In custody elsewhere.
- ☐ Old case, no arrest.
- ☐ Missing witness.
- ☐ Request of complaining witness.
- ☐ Motion to suppress granted.
- ☐ Co-Defendant tried, this Defendant testify.
- ☐ Insufficient evidence.
- ☐ Co-Defendant convicted, insufficient evidence this Defendant.
- ☐ Case refiled.
- ☒ Other

EXPLANATION:

Def. to catch up w/fees.
RL

FILED
 KATHERINE TYRA
 District Clerk

SEP 27 1994

Time: 10:30
 By: _____
 Harris County, Texas
 Depositor

RECORDER'S MEMORANDUM:
 This instrument is of poor quality and not satisfactory for photographic recordation; and/or alterations were present at the time of filming.

WHEREFORE, PREMISES CONSIDERED, it is requested that the above entitled and numbered cause be dismissed.

Respectfully submitted,

[Signature]
 Assistant District Attorney
 Harris County, Texas

ORDER

The foregoing motion having been presented to me on this 27 day of September, A.D. 1994, and the same having been considered, it is, therefore, ORDERED, ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed.

JUDGE

[Signature]
 248th
 HARRIS COUNTY, TEXAS

DISTRICT COURT

V1338 P0409

CAUSE NUMBER 667238

THE STATE OF TEXAS

VS.

Robert LeeIN THE 248th DISTRICT COURT
OF
HARRIS COUNTY, TEXAS

MOTION TO ADJUDICATE GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, THE STATE OF TEXAS, by and through the undersigned Assistant District Attorney and shows the Court that heretofore on the 9th day of September, 1993, the Defendant herein entered a plea of Guilt to the offense of Theft of Service, the Court after hearing the evidence introduced thereon and finding that it substantiates the Defendant's guilt, deferred entering an adjudication of guilt and placed the Defendant under the terms and conditions of probation for a period of 3 years in accordance with Section 5 of Article 42.12 of the Texas Code of Criminal Procedure.

Further, the State would show that the Court ordered the Defendant herein to abide by certain conditions of probation during the term of probation and among the conditions of probation ordered by the Court were the following conditions of probation:

- (b) Avoid injurious or vicious habits including the use of controlled substances and alcoholic beverages. You are forbidden to use, possess, or consume any controlled substances, dangerous drugs, or marihuana unless prescribed pursuant to a lawful prescription;
- (d) Report immediately in person on September 9, 1993 to the Harris County Community Supervision and Corrections Department Intake Division, 49 San Jacinto Street, Houston, Texas and thereafter on the 9th day of each month to your designated Probation Officer unless different dates within a calendar month are agreed to by you and your Probation Officer;
- (e) Work continuously at suitable employment and notify the Probation Officer within 48 hours of any changes in employment status; present written verification of employment (including all attempts to secure employment) once each month on your reporting date;
- (o) Pay a supervision fee to the Harris County Community Supervision and Corrections Department at the rate of \$25.00 per month for the entire period of probation beginning 1-9-93;
- (p) Make restitution in any sum that the Court shall determine: Pay \$1500 at the rate of \$50 per month beginning 10-9-93; to Jeff Wagner.

PAGE TWO OF THREE - MOTION TO ADJUDICATE GUILT
THE STATE OF TEXAS VS. Robert Lee

CAUSE No. 667238

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to avoid injurious or vicious habits to-wit; Robert Lee did ingest a controlled substances, namely, Cocaine, which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on April 29, 1994 at the Harris County Community Supervision and Correction Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to avoid injurious or vicious habits to-wit; Robert Lee did ingest a controlled substances, namely, Cocaine, which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on October 26, 1994 at the Harris County Community Supervision and Correction Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to report to the Probation Office, to-wit; the Defendant was ordered to report September 9, 1993 and thereafter as directed of each month to his designated Probation Officer unless different dates within a calendar month were agreed to by him and his Probation Officer. He failed to report as instructed for the months of October 1993, November 1993, December 1993, May 1994, June 1994, July 1994 and November 1994.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to secure or maintain or provide proof of employment, to-wit; the Defendant has failed to maintain or secure or provide proof of employment for the months of October 1993, November 1993, December 1993, January 1994, February 1994, March 1994, May 1994, June 1994, July 1994 and October 1994 as ordered by the Court.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to pay supervision fee, to-wit; the Defendant has not made a payment for the months of February 1994, March 1994, April 1994, May 1994, June 1994, July 1994, October 1994 and November 1994, as directed by the Court, and is presently \$350.00 in arrears.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: failing to pay restitution, to-wit; the Defendant has not made a payment for the months of February 1994, March 1994, April 1994, May 1994, June 1994, July 1994, October 1994 and November 1994, as directed by the Court, and is presently \$600.00 in arrears.

PAGE THREE OF THREE - MOTION TO ADJUDICATE GUILT
THE STATE OF TEXAS VS. Robert Lee

CAUSE No. 667238

WHEREFORE, THE STATE PRAYS THAT Alias Capias issue and upon arrest that hearing be given the Defendant and that on final hearing an adjudication of guilt be entered.

Sandra A. Cauley
ASSISTANT DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ordered to issue Alias Capias for arrest of the Defendant and that copy of this Motion be served on the Defendant.

SIGNED THIS THE 15 DAY OF December, A. D., 19 94

W. Densen
HONORABLE Judge Woody Densen, JUDGE
PRESIDING, 248th DISTRICT COURT
Harris County, Texas

FILED
KATHERINE TYRA
District Clerk

DEC 15 1994
Time: 9:30
Harris County, Texas
By: [Signature]
Deputy

ATTEST:

KATHERINE TYRA
District Clerk
Harris County, Texas

By: [Signature]

ACTION DIRECTED BY THE COURT

- A. File Motion to Revoke C
- B. No Action Desired _____
- C. Hold Pending _____

uHf
Adult Probation Officer Mario Reta (NB)
Date Submitted 12 15 94

THE STATE OF TEXAS
COUNTY OF HARRIS

ALIAS CAPIAS

IN THE 248TH DISTRICT COURT
OF HARRIS COUNTY, TEXAS

DEC 15 1994

NO. 066723801010

THE STATE OF TEXAS: TO ANY PEACE OFFICER OF THE STATE OF TEXAS, GREETINGS:

YOU ARE HEREBY COMMANDED TO ARREST LEE, ROBERT

NJ-60183237

IF HE IS TO BE FOUND IN YOUR COUNTY, AND HIM SAFELY KEEP, OR SO PROVIDE THAT
YOU HAVE HIM BEFORE THE HONORABLE 248 DISTRICT COURT IN AND FOR SAID COUNTY OF
HARRIS, AT THE COURTHOUSE THEREOF IN THE CITY OF HOUSTON.

I N S T A N T E R

THEN AND THERE TO ANSWER THE STATE OF TEXAS UPON

M O T I O N T O A D J U D I C A T E G U I L T

UPON ORDER FOR PROBATION AND DEFERMENT OF ADJUDICATION OF GUILT FOR THE OFFENSE
OF THEFT SERVICE \$750-\$20,000
FILED IN OUR SAID 248 DISTRICT COURT ON THE 09 DAY OF SEPTEMBER, A.D. 1993.

HERESIN FAIL NOT, BUT OF THIS WRIT THEN AND THERE MAKE DUE RETURN, SHOWING HOW
YOU HAVE EXECUTED THE SAME. IF NOT EXECUTED WITHIN 90 DAYS FROM DATE HEREOF, YOU
SHALL NOTIFY SAID COURT IN WRITING, THE CAUSE OF THE FAILURE, AND WHAT EFFORTS
HAVE BEEN MADE, TO EXECUTE SAME.

IN WITNESS WHEREOF, THEREUNTO SET MY HAND AND AFFIX THE SEAL OF THE COURT,
AT OFFICE IN HOUSTON, TEXAS, ON THIS THE 15TH DAY OF DECEMBER, A.D. 1994.

BAIT, \$5000000

KATHERINE TYRA
DISTRICT CLERK, HARRIS COUNTY, TEXAS

INITIATING DEPUTY: WALDEKRAMA, PEGGY LYNN

SNU: 996

FILED: 12/15/94

BY

MOTION TO ADJUDICATE GUILT

DEPUTY

S H E R I F F ' S R E T U R N

RECEIVED THIS WRIT ON THE 15 DAY OF Dec, 1994, AND I EXECUTED
SAME ON THE 17 DAY OF Dec, 1995 BY ARRESTING THE NAMED DEFENDANT

Robert Lee

AT 7 O'CLOCK AM

BY PLACING IN HARRIS COUNTY JAIL SAID

Robert Lee

BY ACCEPTING BOND ON SAID

UNEXECUTED

DANNY KLEVENHAGEN
SHERIFF OF HARRIS COUNTY, TEXAS

D Lands, Clerk

16

DEFENDANT DESCRIPTORS

CASE # 667238 COURT # 248TH

NAME ROBERT LEE RACE W SEX M DOB 12-19-55

BIRTH STATE TX MARITAL STATUS S U.S. CITIZEN Y # PRIOR CONV. 10

BUILD MED HEIGHT 5'8 WEIGHT 185 EYES BLU HAIR BLN SKIN FAR

ALIAS NAMES ROBIN LEE RHODES, ROBERT LEE RHODES AND ROBERT LEE

ADDRESS TYPE RESIDENT STREET ADDRESS 22207 LANTANA CITY MAGNOLIA

STATE TEXAS PHONE # 713356-7213

EMPLOYER U

STREET ADDRESS U CITY U ZIP U

STATE U PHONE # U OCCUPATION U

FBI # U DPS # U SOC. SEC. # U SCARS TTONCHEST

DRIVER LICENSE STATE U D.L. NUMBER U S.O. # 195408

COMPLETE THIS FORM AS FULLY AS POSSIBLE PRIOR TO FILING A VR/MRP. THE DATA WILL BE USED BY THE SHERIFF'S OFFICE WARRANT DIVISION IN THEIR ATTEMPT TO LOCATE THE DEFENDANT. THIS FORM IS TO BE TURNED IN WITH THE MRP TO THE DISTRICT CLERK AND IS TO BE ATTACHED TO THE CAPIAS.

RACE

W...WHITE
N...NEGRO
M...MEXICAN
I...AMERICAN INDIAN
J...JAPANESE
O...ALL OTHERS
X...UNKNOWN

MARITAL STATUS

M...MARRIED
D...DIVORCED
S...SINGLE
W...WIDOWED
X...UNKNOWN

BUILD

SKN...SKINNY
LGT...LIGHT
MED...MEDIUM
HEV...HEAVY
OBS...OBESE, FAT

EYES

BLK...BLACK
BLU...BLUE
BRO...BROWN
GRY...GRAY
GRN...GREEN
HAZ...HAZEL
MAR...MAROON
PNK...PINK
X.....UNKNOWN

HAIR

BLK...BLACK
BRO...BROWN
BLN...BLOND
SDY...SANDY
RED...RED
GRY...GRAY
WHI...WHITE
BAL...BALD
X.....UNKNOWN

SKIN

ALB...ALBINO
BLK...BLACK
DRK...DARK
DBR...DARK BROWN
FAR...FAIR
LGT...LIGHT
LBR...LIGHT BROWN
OLV...OLIVE
RUD...RUDDY
SAL...SALLOW
YEL...YELLOW

LAVL: TECH.: X
12-6-94
SA

03/12/998/W

OFFENSE: MAJ

CAUSE NO. 667238
COUNT NO. _____

THE STATE OF TEXAS

IN THE 248 DISTRICT COURT

VS.

OF

Robert Lee

HARRIS COUNTY, TEXAS

MOTION TO DISMISS

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES the State of Texas by and through her District Attorney, and respectfully requests the Court to dismiss the above entitled and numbered criminal action for the following reason:

- ☐ The Defendant was convicted in another case or count.
- ☐ In custody elsewhere.
- ☐ Old case, no arrest.
- ☐ Missing witness.
- ☐ Request of complaining witness.
- ☐ Motion to suppress granted.
- ☐ Co-Defendant tried, this Defendant testify.
- ☐ Insufficient evidence.
- ☐ Co-Defendant convicted, insufficient evidence this Defendant.
- ☐ Case refiled.
- ☒ Other.

EXPLANATION:

A to do 90 days jail managing on other case.

DUPLICATE

RECORDER'S MEMORANDUM:
This instrument is of poor quality and not satisfactory for photographic recordation; and/or alterations were present at the time of filming.

DEC 28 1995
Time: 10:00
By: [Signature] Deputy
Harris County, Texas

WHEREFORE, PREMISES CONSIDERED, it is requested that the above entitled and numbered cause be dismissed.

Respectfully submitted,

[Signature]
Assistant District Attorney
Harris County, Texas

ORDER

The foregoing motion having been presented to me on this 28th day of Dec. A.D. 1999 and the same having been considered, it is, therefore, ORDERED, ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed.

[Signature]
JUDGE
248 DISTRICT COURT
HARRIS COUNTY, TEXAS

11723 70702

CS7 D1 (COURT ORDER)

CAUSE NO. 064723801010

IN THE 248 DISTRICT COURT
OF HARRIS COUNTY, TEXAS

T H E S T A T E O F T E X A S
VS.

LEE, ROBERT

THEFT SERVICE \$750-\$20,000

TO THE SHERIFF OF HARRIS COUNTY, TEXAS: GREETINGS

BY ORDER OF THE COURT ON THE 28 DAY OF DECEMBER , A. D. 1995 THE
FOLLOWING ACTION IS DIRECTED IN THE ABOVE STYLED AND NUMBERED CAUSE:

(XX) STATE'S MOTION TO ADJUDICATION DISMISSED

(31) RETURN CAPIAS AND RELEASE DEFENDANT FROM YOUR OFFICIAL CUSTODY, AS
INDICATED BY ABOVE ACTIVITY

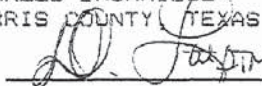
WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THIS 28 DAY OF
DECEMBER , A.D. 1995 AT 1000 O'CLOCK.

SNU: 998

INITIATING DEPUTY: MCCULLOUGH, MICHAEL

CHARLES BACARISSE , DISTRICT CLERK
HARRIS COUNTY TEXAS

BY



DEPUTY

PRECEPT TO SERVE COPY OF MOTION TO ADJUDICATE GUILT

THE STATE OF TEXAS
VS
LEE, ROBERT

NO. 066723801010
IN THE 248 DISTRICT COURT
OF HARRIS COUNTY, T E X A S

T H E S T A T E O F T E X A S

TO THE SHERIFF OF HARRIS COUNTY, STATE OF TEXAS, GREETINGS:

YOU ARE HEREBY COMMANDED TO DELIVER FORTHWITH TO LEE, ROBERT
A PRISONER IN YOUR CUSTODY, THE COPY OF THE ORIGINAL MOTION TO ADJUDICATE
GUILT NOW ON FILE IN SAID COURT.

HEREIN FAIL NOT AND DUE RETURN MAKE HEREOF, WITHOUT DELAY.

WITNESS MY SIGNATURE AND SEAL OF OFFICE,
ON THIS THE 15TH DAY OF DECEMBER A.D. 1994

KATHERINE TYRA
DISTRICT CLERK, HARRIS COUNTY, TEXAS

INITIATING DEPUTY: WADE, DEBRA SUE
BY

BY

FILED
CHARLES BACARISSE
DISTRICT CLERK
HARRIS COUNTY, TEXAS
95 DEC 18 AM 9:03
DEPUTY

BY

SHERIFF'S RETURN

CAME TO HAND Dec 15 A. D. 1994, AT 2 O'CLOCK PM
AND EXECUTED Dec 17 A. D. 1995, AT 7 O'CLOCK PM
BY DELIVERING THE ACCOMPANYING COPY OF MOTION TO ADJUDICATE GUILT
NO. 066723801010 TO LEE, ROBERT THE DEFENDANT HEREIN,
IN PERSON.

JOHNNY KLEVENHAGEN
SHERIFF OF HARRIS COUNTY, TEXAS

BY D Lands, Clerk

CAUSE NUMBER

667238

THE STATE OF TEXAS

IN THE 248TH DISTRICT COURT

VS.

OF

ROBERT LEE

HARRIS COUNTY, TEXAS

MOTION TO ADJUDICATE GUILT

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, THE STATE OF TEXAS, by and through the undersigned Assistant District Attorney, and shows the Court that heretofore on the 9th day of September, 1993 the Defendant herein entered a plea of guilty of the offense of THEFT OF SERVICE. The Court after hearing the evidence introduced thereon and finding that it substantiates the Defendant's guilt, deferred entering an adjudication of guilt and placed the Defendant under the terms and conditions of Probation for a period of 3 years in accordance with Section 5 of Article 42.12 of the Texas Code of Criminal Procedure.

Further, the State would show that the Court ordered the Defendant herein to abide by certain conditions of Probation during the term of Probation and among the conditions of Probation ordered by the Court were the following conditions of Probation.

- A Commit no offense against the laws of this or any other State or of the United States;
- B Avoid injurious or vicious habits including the use of controlled substances and alcoholic beverages. You are forbidden to use, possess, or consume any controlled substances, dangerous drugs, or narcotics unless prescribed pursuant to a lawful prescription;
- D Report immediately in person on September 9, 1993 to the Harris County Adult Probation Department Intake Division, 49 San Jacinto Street, Houston, Texas and thereafter as directed of each month to your designated Probation Officer unless different dates within a calendar month are agreed to by you and your Probation Officer;
- E Work continuously at suitable employment and notify the Probation Officer within 48 hours of any change in employment status; present written verification of employment (including all attempts to secure employment) once each month on your reporting date;
- O Pay a Supervision Fee to the Harris County Adult Probation Department at the rate of \$25.00 per month for the entire period of probation beginning October 9, 1993.
- P Make restitution in any sum that the Court shall determine. Pay \$1,500.00 at the rate of \$50.00 per month beginning October 9, 1993; to: Jeff Wagner
- S Submit yourself to an alcohol/drug evaluation and attend approved treatment programs when directed by the Court through the Harris County Adult Probation Department

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Committing an offense against the laws of the state of Texas, to-wit: on or about June 20, 1993 in Harris County, Texas, the Defendant did then and there unlawfully, appropriate, by acquiring and obtaining exercising control over property, namely, ONE AUTOMOBILE owned by ROBERTA POLINA, hereinafter styled the Complainant, of the value of over one thousand five hundred dollars and under twenty thousand dollars, with the intent to deprive the Complainant of the property.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to avoid injurious or vicious habits to-wit: Robert Lee did ingest/inject a controlled substance, namely, Cocaine which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on April 29, 1994 at the Harris County Community Supervision and Corrections Department.

(Continuation Sheet)
Page 2 of 3

THE STATE OF TEXAS

IN THE 44TH DISTRICT COURT

VS.

OF

ROBERT LEE

HARRIS COUNTY, TEXAS

CAUSE NUMBER 667238

MOTION TO ADJUDICATE GUILT

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to avoid injurious or vicious habits to-wit; Robert Lee did ingest/inject a controlled substance, namely, Cocaine which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on October 26, 1994 at the Harris County Community Supervision and Corrections Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to avoid injurious or vicious habits to-wit; Robert Lee did ingest/inject a controlled substance, namely, Cocaine which was evidenced by the presence of Cocaine Metabolite in a urine sample taken from Robert Lee on February 28, 1996 at the Harris County Community Supervision and Corrections Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to avoid injurious or vicious habits, to-wit; the Defendant admitted using Alcohol on March 28, 1996 to Mario A. Reta a Supervision Officer at the Harris County Community Supervision and Corrections Department.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to report to the Probation Office, to-wit; the Defendant was ordered to report September 9, 1993 and thereafter as directed of each month to his designated Probation Officer unless different dates within a calendar month were agreed to by him and his Probation Officer. The Defendant failed to report as instructed for the months of October 1993, November 1993, May 1994, June 1994, July 1994, November 1994, April 1996, and May 1996.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to secure or maintain employment, to-wit; the Defendant has failed to maintain or secure employment for the months of January 1994, February 1994, March 1994, April 1994, October 1994, February 1996, and March 1996 as ordered by the Court.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to pay supervision fee, to-wit; the Defendant has not made a payment for the months of January 3, 1994, as directed by the Court, and is presently \$800.00 in arrears.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to pay restitution as ordered by the Court and as of January 3, 1994, the Defendant is \$1,450.00 in arrears.

The State would further show the said Defendant did then and there violate terms and conditions of his probation by: Failing to participate in the community-based program Alcohol/Drug Evaluation to-wit; on March 28, 1996 the Defendant was ordered to participate in Alcohol/Drug Evaluation and attend approved treatment and faithfully follow all guidelines and instructions. The Defendant has failed to follow instructions.

PAGE 2 - MOTION TO ADJUDICATE GUILT

THE STATE OF TEXAS VS. ROBERT LEE CAUSE NO. 667238

WHEREFORE, THE STATE PRAYS that Alias Capias issue and upon arrest that a hearing be given the Defendant and that on the final hearing an adjudication of guilt be entered.

[Signature]
ASSISTANT DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ORDERED to issue Alias Capias for arrest of the Defendant and that a copy of this Motion be served on the Defendant.

SIGNED THIS THE 27th day of June A.D. 19 96

[Signature]
HONORABLE W. R. VOIGT, JUDGE
PRESIDING, 248TH DISTRICT COURT
Harris County, Texas

ATTEST

Charles Bacarisse
District Clerk
Harris County, Texas

ACTION DIRECTED BY THE COURT
A. FILE MOTION TO REVOKE ✓
B. NO ACTION DESIRED _____
C. HOLD PENDING _____

By: _____
(Deputy)

DLC

JUDGE, 248TH DISTRICT COURT
[Signature]
PROBATION OFFICER PATRICIA DAVILA
DATE SUBMITTED _____

CAUSE NO.

667238

THE STATE OF TEXAS

IN THE 248TH DISTRICT COURT

VS.

OF

Robert Lee AKA

HARRIS COUNTY, TEXAS

Robin Rhodes

STIPULATION OF EVIDENCE

COMES NOW Robin Rhodes, the defendant in the above styled and numbered cause, in writing and in open Court and consents to the stipulation of the evidence in this case and in so doing expressly waives the appearance, confrontation and cross-examination of witnesses. I further stipulate that I have, at least ten (10) days prior hereto, been served with a copy of the State's Motion to Adjudicate Guilt (hereafter referred to as the State's Motion), a copy of which is attached hereto and incorporated by reference herein, and do not desire to contest the same. I further consent to the introduction of testimony by affidavits, written statement of witnesses and other documentary evidence. Accordingly, having waived my Federal and State Constitutional Right against self-incrimination and after having been sworn, under oath, I judicially confess to the following facts and agree and stipulate that these facts are true and correct and constitute the evidence in this case:

(1) I am the same Robert Lee / Robin Rhodes who on the date 9-9-93, in Harris County, Texas, entered a plea of Guilty to the offense of THC of Service in the 248th District Court of Harris County, Texas, the Court after hearing the evidence introduced thereon and finding that it substantiated my guilt, deferred entering an adjudication of guilt and granted adult probation for a period of 3 years.

(2) The conditions of probation ordered by the court included, those conditions set out in the attached State's Motion.

(3) I understand the allegations against me set out in the attached State's Motion and judicially confess that it is true that I violated the terms and conditions of my probation as stated in the attached State's Motion.

I intend to enter a plea of true to the State's Motion and the prosecutor will recommend that I be adjudicated guilty in this cause and my punishment should be set at 10 YRS Fel. Probation and I agree to that recommendation.

ISP - Drug - EVAL -
[Signature]
 Defendant

SWORN TO AND SUBSCRIBED before me on the date of AUG 12 1996

Clerk, 248th District Court
 Harris County, Texas

APPROVED:

[Signature]
 Assistant District Attorney

[Signature]
 Attorney for the Defendant

APPROVED BY THE COURT:

[Signature]
 Judge Presiding

FILED
 CHARLES J. ADAMS
 CLERK

AUG 12 1996

By [Signature]
 Deputy

PLEA OF TRUE TO MOTION TO ADJUDICATE GUILT

507

VS.

22

Robert Rhodes

100

248TH JUDICIAL DISTRICT

I am the Defendant accused of a felony in the above captioned cause, and I have consulted with my attorney, whose name is signed below regarding my right to have all court proceedings recorded by an official court reporter, as provided by Rule 11 of the Texas Rules of Appellate Procedure. My attorney has advised me of the consequences of not having said proceedings recorded. I understand that it is my burden to show on any appeal or post conviction writ of habeas corpus that my plea of true was not voluntarily or knowingly given and/or that the Judge did not properly advise me of the effect of a plea of true is: 1) voluntarily and knowingly given; 2) that the range of punishment for Kidnapping is 2-20 yrs. P.C.; 3) that the State's recommendation is not binding on the court; 4) that I cannot appeal if the court follows the State's recommendation unless the Court gives its permission except for those matters raised by written motion filed prior to trial; and that if I am not a U.S. Citizen my plea of true may result in deportation or the exclusion from admission to this country, the denial of naturalization under federal law.

Signed this the _____ day of _____, 19__.

DEFENDANT

APPROVED:
ATTORNEY FOR DEFENDANT

ATTORNEY FOR THE STATE OF TEXAS

JUDGE PRESIDING 1248TH DISTRICT COURT

THE STATE OF TEXAS

VS.

Robert LeeIN THE 248 DISTRICT

COURT OF HARRIS COUNTY, TEXAS

Change of Venue From: _____

JUDGMENT ADJUDICATING GUILT

Judge Presiding: WR Voigt Date of Judgment: 8-12-1996Attorney for State: Don Larry Stanley Attorney for Defendant: Kurt Gumbrecht [] Waived CounselOffense
Convicted of:Theft of service

Degree:

ThirdDate Offense
Committed:6-17-1993Date of Community
Supervision Order:9-9-93

Costs:

178.50Paragraph Violated and
Grounds for Revocation:A, B, D, E, O, P, S Law Violation

As Set out in State's

original

Petition to Adjudicate Guilt.

Affirmative Findings: (Circle appropriate selection - N/A = not available or not applicable)

DEADLY WEAPON: Yes [] No [] N/A FAMILY VIOLENCE: Yes [] No [] N/A HATE CRIME: Yes [] No [] N/A

Punishment Imposed and

10 yrs100% probation

Place of Confinement: Institutional/State Jail Division

/Fine:

Date of
Sentence:8-12-1996Date to
Commence:

Time Credited:

73 DaysTotal Amount of
Restitution/Reparation/Reward:

Concurrent Unless Otherwise Specified:

Restitution/Reward to be Paid to:

Name:

Address:

Statement of Amount of Payment(s) required/Terms of Amount:

On this day came on to be heard the matter of the Defendant's obedience to the terms and conditions of the Deferred Adjudication of Guilt heretofore granted in the above styled and numbered cause; the State appeared by her District Attorney as named above and the Defendant appeared in person and either by counsel as named above or knowingly, intelligently and voluntarily waived the right to representation by counsel as indicated above, and the Court having heard the evidence submitted by both sides herein and having considered the same finds:

That this court deferred further proceedings on the date indicated above and that the Defendant was qualified for community supervision under Art. 42.12 5 (a), and that under the provisions of said act the court made no final finding of guilt herein, rendered no judgment and placed the Defendant on community supervision for a period of 3 years and assessed a fine of \$ 0.

That on the 20 day of June A.D. 19 96, and within the period of such community supervision, the Defendant violated the terms and conditions of said community supervision in that

By committing an offense against the State of TX, Namely, Delict Card Abuse; Failed to avoid injurious habits, Failed to report, Failed to pay supervisory fees

It is therefore CONSIDERED, ORDERED AND ADJUDGED by the Court that the Defendant is guilty of the offense indicated above, as charged in the primary offense, and assesses punishment at confinement in the Institutional Division or State Jail Division, Texas Department of Criminal Justice, as indicated above, for the period indicated above, and a fine, if any, as indicated above.

It is further CONSIDERED, ORDERED and ADJUDGED by the Court that the Deferred Adjudication of Guilt heretofore granted the Defendant named above, in this cause be and the same is hereby revoked, that the finding of guilt heretofore made in this cause be and the same is hereby made final, that there present be and the same hereby is a final judgment in this cause and that the Defendant as named above, committed the said offense on the date indicated above, and that he be punished by confinement in the Institutional Division or State Jail Division, Texas Department of Criminal Justice, as indicated above, for the period indicated above, and a fine, if any, as indicated above. And that the State of Texas do have and recover of the Defendant all costs of prosecution, for which execution will issue.

And thereupon the said Defendant was asked by the Court whether he had anything to say why sentence should not be pronounced against him, and he answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of said Defendant, to pronounce sentence against him as follows, to wit: "It is the order of the Court that the Defendant, named above who has been adjudged to be guilty of the offense indicated above, a felony, and whose punishment has been assessed at confinement in the Institutional Division or State Jail Division, Texas Department of Criminal Justice, for the period indicated above, be delivered by the Sheriff of Harris County, Texas, immediately to the Director of the Institutional Division or State Jail Division, Texas Department of Criminal Justice, as indicated above, for the period indicated above, or other person legally authorized to receive such convicts, and said Defendant shall be confined in said Institutional Division or State Jail Division, Texas Department of Criminal Justice, for the period indicated above, in accordance with the provisions of the law governing the Institutional Division, or State Jail Division, Texas Department of Criminal Justice.

The said Defendant was remanded to jail until said Sheriff can obey the directions of this sentence.

** TO BE COMPLETED ONLY WHEN IMPOSITION OF SENTENCE SUSPENDED AND DEFENDANT GRANTED COMMUNITY SUPERVISION.

[] On this the 12th day of August, 19 96 imposition of this sentence is suspended and defendant is placed on community supervision for 10 years pending his abiding by and not violating the terms and conditions of community supervision, approved by this Court and attached as a part of this judgment herewith.

Clerk of the court furnished the probationer with a copy of the terms and conditions of community service.

B I L L O F C O S T S

Payment Type: <u> </u> (S, I, D, M or L:) (NOTE: If "I" or "D" see attached order)	
Jail Time: <u> </u> H/D/M/Y CC: Y/N <u> </u> Y=Yes N=No (jail/fine/cost concurrent)	
Time Assessed TDCJ, (ID) Institutional/(SJ) State Jail; <u> </u> Div: <u> </u> D/M/Y	
Jail Credit: <u> </u> H/D/M/Y Sentence to Begin Date: <u> </u>	
(HCJ/SJ) <u> </u> as a Condition of Community Supervision: <u> </u> H/D/M/Y	
Additional Jail Credit: <u> </u> H/D/M/Y	
Payable on or Before: <u> </u> PLO: <u> </u> Reward SPN: <u> </u> COC: <u> </u>	
<u> </u> Hours of Sentence to be Served by Performing Community Service	
Defendant to Serve Sentence by Electronic Monitoring? (Y or N): <u> </u>	
NOTE TO SHERIFF:	
Transcript at: <u> </u> Pages: <u> </u>	Crime Stoppers Fee: <u>2</u> 00
Serving Capias: <u> </u> /Summons: <u> </u>	Jury Fee: <u> </u>
Summoning <u> </u> Witness/Mileage: <u> </u>	CJPF: <u>20</u> 00
Jury Fee: <u> </u>	LEOSEF: <u>1</u> 50
Taking: <u> </u> Bonds: <u> </u>	CVCF: <u>20</u> 00
Commitment: <u> </u>	DCLCF: <u> </u>
Release: <u> </u>	JCTF: <u>1</u> 00
Attachment: <u> </u>	Video Fee: <u> </u>
Arrest W/O Warrant/Capias: <u> </u>	DWI Evaluation Fee: <u> </u>
-----RECAPITULATION-----	
Fine Amount: <u> </u>	Reward Repayment: <u> </u>
Miscellaneous Costs: <u> </u>	Pre-Bond Drug Test: <u> </u>
Special Expense: <u> </u>	Bond/Elec Monitor Fee: <u> </u>
Trial Fee: <u> </u>	ACCA: <u> </u>
District Attorney Fee: <u> </u>	Financial Responsibility: <u> </u>
Clerk's Fee: <u> </u>	PTR Fee: <u> </u>
Sheriff's Fee: <u> </u>	Attorney Fee: <u> </u>
	Out of County Witness Fee: <u> </u>
	Amount Probated/Waived: <u> </u>
	TOTAL AMOUNT OWED: <u> </u>

Signed and entered this the 12 day of August, A.D., 19 96.

Notice of Appeal: 19

Probation Expires: August 11 2006

Mandate Received: 19

After Mandate Received, Sentence to Begin Date is:

(Check ONLY if Applicable)

[] Defendant to be placed in the "S.A.I.P." (Boot Camp) program in the Texas Department of Criminal Justice, Institutional Division pursuant to Art. 62.03 (c)-9 Revised Statutes/Article 42.12, Section 8, C.C.P.

Received on 12 day of August, A.D., 19 96 at 12:30 o'clock P.M.
Sheriff, Harris County, Texas

By: [Signature] Deputy

Entered 8/10/99 3m

Verified [Signature]

LCBU 5m



Defendant's
Right Thumbprint

CAUSE NUMBER 557238

THE STATE OF TEXAS

IN THE 248th DISTRICT COURT

VS.

OF

Robert Lee

HARRIS COUNTY, TEXAS

MOTION TO REVOKE COMMUNITY SUPERVISION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, THE STATE OF TEXAS, by and through the undersigned Assistant District Attorney and shows the Court that heretofore on the 12th day of August, 1996, the Defendant herein was adjudged guilty of the offense Theft of Service, a felony, and was granted Community Supervision for a period of 10 years in accordance with Section 3 of the Texas Code of Criminal Procedure.

Further, the State would show that the Court ordered the Defendant herein to abide by certain conditions of Community Supervision during the term of Community Supervision and among the conditions of Community Supervision ordered by the Court were the following conditions of Community Supervision.

- 4 Report immediately in person, to the Community Supervision Officer for the 248th District Court on the 12th day of August, 1996 and continue to report to the Community Supervision Officer on the 12th of each month thereafter or as directed by the Community Supervision Officer for the remainder of the supervision term unless so ordered differently by the Court.
- 11 Participate in a community service program, HCCS&CD Community Service Work Probation Program, administered through HCCS&CD. You shall perform a total of 320 hours, at the rate of 24 hours per month beginning September 12, 1996 for the duration of your supervision.
- 12.2 Pay a Fine of \$0 and Court Costs of 134.00 to be paid at the rate of \$20.00 per month beginning September 12, 1996 to Harris County through HCCS&CD. You are given credit for 73 days towards payment of this Fine/Court Costs.
- 14 Submit yourself to an alcohol/drug evaluation by October 12, 1996 and if ordered to attend and participate in an approved treatment program by the Court through the HCCS&CD, you are to attend and participate in such program and submit written proof to your Supervision Officer until successfully completed or until further order of the Court.

The State would show the said Defendant did then and there violate terms and conditions of Community Supervision by: Failing to report to the Community Supervision Officer, to-wit: the Defendant was ordered to report August 12, 1996 and thereafter on the 12th of each month to a designated Community Supervision Officer. The Defendant failed to report as instructed for the months of December, 1996 and January, 1997 and has not reported to the Community Supervision Officer since.

The State would show the said Defendant did then and there violate terms and conditions of Community Supervision by: Failing to participate in the community service program, HCCS&CD Community Service Work Probation Program as ordered by the Court, to-wit: on August 12, 1996, the Defendant was ordered to perform 320 hours at the rate of 24 hours per month beginning September 12, 1996. The Defendant failed to begin this service as ordered by the Court.

The State would show the said Defendant did then and there violate terms and conditions of Community Supervision by: Failing to pay court costs, to-wit: the Defendant failed to pay court costs as directed by the Court and is \$100.00 in arrears as of January 27, 1997.

The State would show the said Defendant did then and there violate terms and conditions of Community Supervision by: Failing to submit to an alcohol/drug evaluation by October 12, 1996 and to participate in an approved treatment program and/or submit written proof of participation in an approved treatment program to the Community Supervision Officer, as required by the Court.

PAGE 2 - MOTION TO REVOKE COMMUNITY SUPERVISION

THE STATE OF TEXAS VS. Robert Lee CAUSE NO. 457238

WHEREFORE, THE STATE PRAYS that Alias Copies issue and upon arrest that a hearing be given the Defendant and that on the final hearing the Community Supervision be revoked.

[Signature]
ASSISTANT DISTRICT ATTORNEY
HARRIS COUNTY, TEXAS

MOTION GRANTED AS PRAYED FOR and the Clerk is hereby ORDERED to issue Alias Copies for arrest of the Defendant and that a copy of this Motion be served on the Defendant.

SIGNED THIS THE 30 day of April A.D. 19 97

APR 30 1997
ATTEST
Charles Becartase
District Clerk
Harris County, Texas
By: [Signature]
(Deputy)

[Signature]
HONORABLE Judge R. Voigt, JUDGE
PRESIDING, 248th DISTRICT COURT
Harris County, Texas

ACTION DIRECTED BY THE COURT
A. FILE MOTION TO REVOKE ☒
B. NO ACTION DESIRED ☐
C. HOLD PENDING ☐

JUDGE, 248th DISTRICT COURT
Patricia Daniels
SUPERVISION OFFICER
DATE SUBMITTED 4-30-97

=N PROBATIONER INQUIRY SPN: 00183237 PAGE: 01

NAME: RHODES, ROBIN LEE ADDR: 22207 LANTANA
AKAS: RHODES, ROBIN LEE MAGNOLIA TX 77355 281356-7213
RHODES, ROBINERT LEE R: W S: M DOB: 121955 HT: 508 WT: 180
RHODES, ROBIN LEE SO: 195408 FBI: 0870400K1 DP: TX01888447
SS: 453-11-7256 SMT: SC ELBOW

OCC: UNEMPLOYED EMPLR: U U U -U
EMPLOYED: N U U HOUSTON TX 77000
PROB OFF: WALLS, AUNDREA LOCATION: NORTH PHONE # 696-8732

LN	CRT	CDI	CASE	POI	PROB	START	PROB	END	MRP	OFFENSE
01	248	003	067431601010	N1	12/03/93	12/02/03				CRED CARD-PRESENT-
02	248	003	066723801010	N1	08/12/96	08/11/06				THEFT SERVICE \$750

LAPI-2200: END OF DISPLAY
LOS: DIRECT - MEDIUM /
CJAD OFFICER NUMBER: 708 OVERRIDE ASSESSED LOS? N
PER CONDITIONS OF SUPERVISION? N REMARKS:
ERASE "=N ", THEN PRESS: PF1=PTY2010 PF2=PTY40 PF3=PTY5010 PF4=PTY60 PF11=LNQY
*ENTER LINE NUM. PRESS PF10=UPDATE(LPOC) PF6=LASU PF7=LCPS PF8=PTY15 PF5=LQY9

H C C J I S
MASTER NAME RECORD

00183237 AA 983

ORIGINATING AGENCY: SO1010000

NAME TYPE: P

NAME: RHODES, ROBIN LEE

ALIAS/TRUE: T

RACE: W SEX: M BIRTH DATE: 121955 BIRTH PLACE: TX MAR STAT: S

US CITIZEN: Y PERSON TYPE: D NUMBER OF PRIOR CONVICTIONS: 06

BUILD: MED HEIGHT: 508 WEIGHT: 180 EYE: BRO HAIR: GRY SKIN: MED

CAUSE NUMBER

674316
667238

THE STATE OF TEXAS

IN THE DISTRICT CRIMINAL COURT

V.

§

AT LAW NUMBER 248

Robin Rhodes
Name of Defendant

§

OF HARRIS COUNTY, TEXAS

ORDER MODIFYING EXECUTION OF SENTENCE
DISCHARGE FROM CONFINEMENT BY
HOUSE ARREST

On this day the Court considered the matter of modifying the method by which the Defendant is to discharge the judgment and sentence previously entered in this matter, and after reviewing the facts, accordingly,

IT IS ORDERED, that the above named defendant shall be permitted to discharge the confinement portion of the punishment assessed as provided by article 42.035, C.C.P., by submitting to house arrest at the following location, during the following hours, and for the specified duration:

At 22207 Lantana, Magnolia, TX

During the hours of: 9:00 pm to 6:00 am

Effective 5-13-97 and until the sentence is discharged on until ordered by Judge

During this time, IT IS FURTHER ORDERED that the defendant:

- ① Participate in the electronic monitoring program operated by the Pretrial Services Agency;
- ② Abide by the all of the rules of the Pretrial Services Agency monitoring program;
- ③ Pay the cost of the electronic monitoring equipment, \$6.00 per day, one week in advance of the monitoring period unless the fee is waived [YES / NO] by this Court;
- ④ Report in person to the Pretrial Services Agency weekly;
- ⑤ ~~Submit to random urine testing analysis by the Pretrial Services Agency; pay the cost of testing, \$11.00 per test, before providing a urine sample unless the cost is waived [YES / NO] by this Court;~~
- ⑥ Not use, possess, or consume any controlled substance, dangerous drugs, or marijuana unless prescribed pursuant to a lawful perscription issued by a medical doctor;
- ⑦ Provide verification of compliance with conditions to the Pretrial Services Agency;
- ⑧ Other: Defendant shall turn himself back into Harris Co. jail, 49 San Jacinto by 8 pm on 5/27/97.

The Sheriff of Harris County is hereby ORDERED to release the defendant named above; and a copy of this order shall suffice for the Sheriff's authority to release said defendant.

Signed on 5-13-97

Werner Voigt
Werner Voigt, Judge Presiding,
County District Court at Law No. 248
Harris County, Texas

X [Signature]
Defendant/date 5/16/97

Original - Case File
Copy - Sheriff (MUST be filed with original)
Copy - PTSA
Copy - Defendant

RECORDER'S MEMORANDUM
This instrument is of poor quality
and not satisfactory for photographic
recording; and/or alterations were
present at the time of filming

V2153 P0449

13th 496

CAUSE NO. 667238

THE STATE OF TEXAS

IN THE 215 DISTRICT COURT
OF HARRIS COUNTY, TEXAS

VS.

Robert LeeDF NO. 178

aka _____

Offense _____

TO THE SHERIFF OF HARRIS COUNTY, TEXAS: GREETINGS

BY ORDER OF THE COURT, on the 13th day of July, A.D., 19 67
the following action is directed in the above styled and numbered cause:

USE THIS AREA WHEN NECESSARY TO SHOW ACTIVITIES BY COUNT

Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____

- ☐ Indictment / Information / Complaint dismissed. Count(s) _____.
- ☐ Defendant received _____ years in the Texas Department of Criminal Justice, Institutional Division / Harris County Jail PROBATED and a fine of \$ _____.
- ☐ Defendant placed on probation for a period of _____ years and a fine of \$ _____. Adjudication of Guilt Deferred.
- ☐ State's Motion to Revoke Probation / State's Motion to Adjudicate dismissed.
- ☐ Indictment / Information Quashed.
- ☐ Defendant found Not Guilty.
- ☐ Bond filed on _____ in the amount of \$ _____ REINSTATED.
- ☐ Court approved Personal Bond/Pre-Trial Bond in the amount of \$ _____.
- ☐ Court approved Appeal Bond in the amount of \$ _____.
- ☐ Court approved Habeas Corpus Appeal Bond in the amount of \$ _____.
- ☐ Upon hearing Writ of Habeas Corpus defendant discharged.
- ☒ Release Defendant on May 20, 1967.
Def. will surrender back to C.J. on May 27, 1967.
- ☐ RETURN CAPIAS AND RELEASE DEFENDANT FROM YOUR OFFICIAL CUSTODY, AS INDICATED BY ABOVE ACTIVITY.

Witness my hand and Seal of Office at Houston, Texas, this 13th day of
July, A.D., 19 67 at 9:15 o'clock P.M.

CHARLES BACARISSE, District Clerk
 Harris County, Texas

By _____, Deputy

135m 994 JH

CAUSE NO. 667238

THE STATE OF TEXAS

VS.

IN THE 418 DISTRICT COURT
OF HARRIS COUNTY, T E X A SDF NO. One

Offense _____

Robert Lee
aka _____

TO THE SHERIFF OF HARRIS COUNTY, TEXAS: GREETINGS

BY ORDER OF THE COURT, on the 21st day of May, A.D., 19 97
the following action is directed in the above styled and numbered cause:

USE THIS AREA WHEN NECESSARY TO SHOW ACTIVITIES BY COUNT

Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____
 Count _____ of the Indictment / Information _____

- ☐ Indictment / Information / Complaint dismissed. Count(s) _____.
- ☐ Defendant received _____ years in the Texas Department of Criminal Justice, Institutional Division / Harris County Jail PROBATED and a fine of \$ _____.
- ☐ Defendant placed on probation for a period of _____ years and a fine of \$ _____. Adjudication of Guilt Deferred.
- ☐ State's Motion to Revoke Probation / State's Motion to Adjudicate dismissed.
- ☐ Indictment / Information Quashed.
- ☐ Defendant found Not Guilty.
- ☐ Bond filed on _____ in the amount of \$ _____ REINSTATED.
- ☐ Court approved Personal Bond/Pre-Trial Bond in the amount of \$ _____.
- ☐ Court approved Appeal Bond in the amount of \$ _____.
- ☐ Court approved Habeas Corpus Appeal Bond in the amount of \$ _____.
- ☐ Upon hearing Writ of Habeas Corpus defendant discharged.

- ☒ D.H.'s Furlough extended to 5-29-97.
- ☒ RETURN TO SURRENDER TO HCS ON 5-29-97 to begin 2 yr TPC sentence.
- ☐ RETURN TO CAPTAS AND RELEASE DEFENDANT FROM YOUR OFFICIAL CUSTODY, AS INDICATED BY ABOVE ACTIVITY.

Witness my hand and Seal of Office at Houston, Texas, this _____ day of _____, A.D., 19 97 at _____ o'clock 5:00MayKATHERINE TYRA, DISTRICT CLERK
HARRIS COUNTY, T E X A S

By _____, Deputy